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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,747	10/07/2003	Elena Casellini	BST-10302/38	5365

25006 7590 09/27/2005

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,747

Applicant(s)

CASELLINI ET AL.

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2005 and 29 August 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 7/14/2005.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

The drawings are objected to because reference numerals 15 and 17 are not shown (see the amendment to the paragraph on page 3, line 17, line 3 thereof.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claims 5, 20, 22 and 24 are objected to because of the following informalities: In claim 5, it is not clear how the "depressed" shape further limits and depends from claim 1, line 12. In claim 20, line 11, "the plane" is not clear as to which previously claimed plane is being referred to (see claim 20, line 8). In claim 20, line 12, there is no

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antecedent basis for "the outer wall". In claim 20, lines 12-13, it is not clear which "tactile feature" is being referred to, the first or the second. Claim 22 should depend from claim 21 (see "geometric shape" in claim 21). In the penultimate line of claim 24, there is no antecedent basis for "the outer wall". The subject matter of claim 24 is not understood. In claim 24, line 11, a paint, resin, enamel or an inlay is claimed. In the last line, a metal or a thermoplastic is claimed. Furthermore, in the penultimate line of claim 24, a "single material" is claimed. Appropriate correction is required.

In view of the above objection to claim 24, the claim is rejected as best understood, on prior art, as follows.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 8, 9 and 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the DM/059931 reference in view of Lesko.

In the embodiments of figs. 6.2, 6.3, 2.2 and 2.3, the DM reference teaches a key head cover having apertures in the sidewalls to register with an opening in a key head, an outer wall having ends spaces from bottom edges of the first and second sidewalls, tactile features in figs. 6.2, 2.2, 2.3 which are both on the sidewalls as well as on the bottom edges of the sidewalls and which define a rear contact plane which is secured to the sidewalls throughout their rear contact plane, a house icon is shown in fig. 6.3.

Lesko teaches a key head in fig. 1 with tactile features thereon, which is formed of a single material, which may be a thermoplastic as set forth in column 2, line 58. It would have been obvious to form the tactile cover of the DM reference of a single (thermoplastic) material, in view of the teaching of Lesko, the motivation being to simplify its production, and molding key heads and key head covers is well known in the key art. Claims 12-19 are regarded as product-by-process claims, and do not patentably define over the DM reference.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Lesko as applied to claim 2 above, and further in view of an additional teaching of the DM reference or Lesko.

Fig. 9.1 of the DM reference teaches depressed tactile indicia, as does Lesko in the central part of the key head in fig. 1. It would have been obvious to substitute a depressed tactile feature for one of the features of Figs. 6.2, 6.3, 2.2, 2.2 of the DM reference, in view of an additional teaching of the DM reference or Lesko, the motivation being to prevent the tactile feature from being snagged on clothing.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Lesko as applied to claim 6 above, and further in view of an additional teaching of the DM reference.

Fig. 3.3 of the DM reference teaches a braid embodiment. It would have been obvious to modify the shape of the indicia at the bottom edges of the figure 2.2 embodiment of the DM reference to be of a braid shape, in view of the teaching of the figure 3.3

embodiment of the DM reference, since any of the shapes of the DM reference would function just as well.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Lesko as applied to claim 1 above, and further in view of Sheldon. Sheldon teaches a key ring securement used to hold multiple keys, wherein the multiple keys have different identifiers, 18, 18a (column 3, lines 9-11). It would have been obvious to utilize multiple keys of the DM reference as modified by Lesko with different tactile features located on the same key ring, in view of the teaching of Sheldon, the motivation being to allow an individual to carry multiple keys and distinguish the keys by their tactile features.

Claim 24 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Lesko and Lanter. The DM reference and Lesko have been discussed above. Lanter teaches that V-shaped notches used as a tactile feature on the head of a key may be formed from paint, as set forth in column 4, lines 53-60. It would have been obvious to form the cover of the figs. 6.2, 6.3, 2.2 and 2.3 embodiments of the DM reference of a thermoplastic material, as well as with paint, in view of the teaching of Lesko and Lanter, the motivation being to simplify the method of producing the covers of the DM reference.

Applicant's arguments with respect to claims 1-9 and 12-24 have been considered but are moot in view of the new ground(s) of rejection. In response to

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applicant's remarks concerning the Sheldon reference and claim 11, it is submitted that these remarks are ignoring what is taught by the primary DM reference.

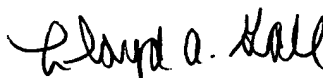
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056.

The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
September 25, 2005


Lloyd A. Gall
Primary Examiner